

Introduced by Senator Harman

February 16, 2010

An act to amend Section 23399 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

SB 1044, as introduced, Harman. Alcohol beverage control: events.

The Alcoholic Beverage Control Act provides for the issuance of licenses for which various annual fees are charged depending upon the type of license issued. The act authorizes the issuance of an on-sale general license, upon application to the Department of Alcoholic Beverage Control, for the sale of beer, wine, and distilled spirits for consumption on the premises where sold. Existing law allows a licensee under an on-sale license to apply for an event permit to authorize, at events held no more frequently than four days in any single calendar year, the sale of beer, wine, or distilled spirits for consumption on property adjacent to the licensed premises and owned or under the control of the licensee, as specified.

This bill would allow an event license to authorize the sale of beer, wine, and distilled spirits at up to 14 events in a single year.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 23399 of the Business and Professions
- 2 Code is amended to read:
- 3 23399. (a) An on-sale general license authorizes the sale of
- 4 beer, wine, and distilled spirits for consumption on the premises

1 where sold. Any licensee under an on-sale general license, an
2 on-sale beer and wine license, a club license, or a veterans' club
3 license may apply to the department for a caterer's permit. A
4 caterer's permit under an on-sale general license shall authorize
5 the sale of beer, wine, and distilled spirits for consumption at
6 conventions, sporting events, trade exhibits, picnics, social
7 gatherings, or similar events held any place in the state approved
8 by the department. A caterer's permit under an on-sale beer and
9 wine license shall authorize the sale of beer and wine for
10 consumption at conventions, sporting events, trade exhibits,
11 picnics, social gatherings, or similar events held any place in the
12 state approved by the department. A caterer's permit under a club
13 license or a veterans' club license shall authorize sales at these
14 events only upon the licensed club premises.

15 (b) Any licensee under an on-sale general license or an on-sale
16 beer and wine license may apply to the department for an event
17 permit. An event permit under an on-sale general license or an
18 on-sale beer and wine license shall authorize, at events held no
19 more frequently than ~~four~~ 14 days in any single calendar year, the
20 sale of beer, wine, and distilled spirits only under an on-sale general
21 license or beer and wine only under an on-sale beer and wine
22 license for consumption on property adjacent to the licensed
23 premises and owned or under the control of the licensee. This
24 property shall be secured and controlled by the licensee and not
25 visible to the general public.

26 (c) This section shall in no way limit the power of the
27 department to issue special licenses under the provisions of Section
28 24045 or to issue daily on-sale general licenses under the provisions
29 of Section 24045.1. Consent for sales at each event shall be first
30 obtained from the department in the form of a catering or event
31 authorization issued pursuant to rules prescribed by it. Any event
32 authorization shall be subject to approval by the appropriate local
33 law enforcement agency. Each catering or event authorization shall
34 be issued at a fee not to exceed ten dollars (\$10) and this fee shall
35 be deposited in the Alcohol Beverage Control Fund as provided
36 in Section 25761.

37 (d) At all approved events, the licensee may exercise only those
38 privileges authorized by the licensee's license and shall comply
39 with all provisions of the act pertaining to the conduct of on-sale
40 premises and violation of those provisions may be grounds for

1 suspension or revocation of the licensee's license or permit, or
2 both, as though the violation occurred on the licensed premises.

3 (e) The fee for a caterer's permit for a licensee under an on-sale
4 general license, a caterer's permit for a licensee under an on-sale
5 beer and wine license, or an event permit for a licensee under an
6 on-sale general license or an on-sale beer and wine license shall
7 be one hundred four dollars (\$104) for permits issued during the
8 2002 calendar year, one hundred seven dollars (\$107) for permits
9 issued during the 2003 calendar year, one hundred ten dollars
10 (\$110) for permits issued during the 2004 calendar year, and for
11 permits issued during the years thereafter, the annual fee shall be
12 calculated pursuant to subdivisions (b) and (c) of Section 23320,
13 and the fee for a caterer's permit for a licensee under a club license
14 or a veterans' club license shall be as specified in Section 23320,
15 and the permit may be renewable annually at the same time as the
16 licensee's license. A caterer's or event permit shall be transferable
17 as a part of the license.

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